

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the Emergency meeting of the County Commissioners held in the Superior Courthouse Building on the twenty-first day of November, A.D. 2015.

Board of the Barnstable County Commissioners:

Mary Pat Flynn	Present
Sheila Lyons	Present
Leo Cakounes	Present

Staff Present:

George Russell	Interim Director, Fire Rescue Training Academy
Steve Tebo	Director, Facilities Department
Paul Niedzwiecki	Executive Director Cape Cod Commission
Paul Tucker	Industrial Programs, Fire Rescue Training Academy

List of Documents:

No supplemental information provided; however, a video of the entire Emergency Meeting was recorded and will be posted in the Meeting Center once the YouTube link has been established. For local media stations, the video is also available on Mass Media Exchange for broadcast.

Commissioner Lyons called the meeting to order at 9:05 a.m.

The Commissioners recited the Pledge of Allegiance.

Commissioner Cakounes noted that he was recording the proceedings with an audio device as well as a video recorder.

The Commissioners instructed Steve Tebo, Facilities Director to post his cell phone number on the front door for late arrivals, as the Courthouse Property needed to remain secure throughout the meeting. Mr. Tebo posted his cell phone number on the front door of the Courthouse for anyone arriving late that needed access to the meeting.

Paul Niedzwiecki joined the meeting in progress at 9:25 A.M.

I. Discussion on suspension of all activity at the Barnstable County Fire Training Academy (FRTA) relevant to recent data indicating the possible presence of toxic substances found on the grounds of the Fire Training Academy.

Commissioner Cakounes distributed his prepared document to the meeting attendees and requested of the Chair that he read the document to include his motion in its entirety for discussion and if necessary, amendment purposes. Chair Lyons granted his request.

Upon completion of Commissioner Cakounes reading his document, Commissioner Flynn suggested changes in paragraph one to remove the word “foam” and have it read “substance on surface.” This change was made.

Commissioner Cakounes requested a change to the second paragraph with the term “posted” being changed to read “sent out” and the time be changed from “8:00” to “8:59” to reflect the time the e-mail went out. The paragraph was amended with the requested changes.

Commissioner Lyons proposed that paragraph 4B be struck in its entirety and to add language that would read “all activities and training exercises shall be suspended until further notice by the Commissioners.” She then read portions from a thread of emails she received directly or as a cc recipient regarding the incident at the FTRA. The email thread has been included at the end minutes in blue print in addition to being added to the supplemental information for posterity.

Commissioner Lyons felt the emails demonstrated and supported the need for the emergency meeting, the manner in which the meeting was called, and the necessity she felt to suspend operations at the FTRA.

After a brief discussion on the proposal and comments from George Russell, Interim Director of the Training Academy on immediate contractual obligations that included Mass Maritime Academy and Pilgrim Power Plant, as well as other such obligations extending into December, it was agreed upon to leave section 4B as presented.

Motion made by Commissioner Cakounes to approve the following actions, 2nd by Commissioner Flynn, approved vote 3-0-0.

Whereas; On Friday, November 20th 2015, it has come to the attention of the County Commissioners that an incident occurred on October 27th, 2015 in that a discovery of a substance on the surface was detected at the Barnstable County Fire Training Academy site.

Whereas; The Substance was tested and revealed to contain PerfluoroAlkyl Substance which includes PFOS.

Whereas; The Interim Administrator was out of the office on a personal leave day, and the Chair of the County Commissioners and County Council determined that immediate action was necessary. This emergency meeting of the Board of County Commissioners was sent out on November 20th, 2015 at 8:59 p.m. for today's meeting on November 21st, 2015 at 9 a.m.

- 1. A full investigation shall be performed by County Staff as to the source of the Substance found on Oct 27, 2015. And a report filed with the County Commissioners with the findings.*
- 2. A full test for PerfluoroAlkyl (PFOS) be performed by County Staff on ALL substances and practices performed on the site, to include but not limit to the following;*
 - a. Testing of all water at point source and after deployment during an exercise.*
 - b. Testing on ALL products used during a training exercise on the site to include but not limited to; dry chemicals, fire extinguishers, and soaps. (all inputs)*
 - c. A full account of all chemicals and input products stored at the site either currently used during training exercises or previously used and no longer being deployed. Testing of these products shall be included in Section B.*
 - d. A disposal plan for all products stored, yet not being used, shall be implemented. County staff at the Hazarded Waste Disposal Unit shall oversee the process.*
- 3. At the earliest possible date a report shall be submitted to the County Commissioners with the findings and actions taken under Section #2.*
- 4. Until such time that a full report is submitted to the County Commissioners on all actions specified in Sections #1 & #2, or until otherwise notified by the County Commissioners The Fire Training Academy shall operate under the following conditions;*
 - a. The Academy shall conduct all classroom training as scheduled.*
 - b. All fire suppression training activities SHALL BE STRICTLY LIMITED TO WATER ONLY. No additives such as dry chemicals, soap or any other input shall be allowed.*

- c. *A Fire Academy Staff member or Representative of Barnstable County shall be present on site during the use of the property for any training activity. This person shall be responsible for the implementation of the rules and regulations set forth in this Motion.*

Barnstable, ss. At 10:02 a.m. on this twenty-first day of November, A.D. 2015, Commissioner Cakounes made a motion to adjourn, 2nd by Commissioner Flynn, approved 3-0-0.

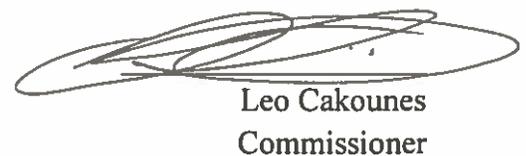
Attest:


County Clerk

The foregoing records have been read and approved.


Sheila R. Lyons
Chair


Mary Pat Flynn
Vice-Chair


Leo Cakounes
Commissioner

From: Mary Pat Flynn

Sent: Friday, November 20, 2015 6:20 PM

To: George Russell

Cc: Sheila Lyons; Leo Cakounes; Michael Brillhart; Paul Niedzwiecki; Tom Cambareri; Ron Bergstrom; Robert Troy

Subject: Re: BCFRTA

All-

In light of George Russell's response, I would suggest that we adhere to our commitments in the short term and at our next meeting consider the new information related to the FTA and seek the input and recommendations of the Interim County Administrator, the FTA Director and the Fire Training Assessment Committee.

Pat

Mary Pat Flynn

On Nov 20, 2015, at 5:54 PM, George Russell <grussell@barnstablecounty.org> wrote:

Hi Sheila,

I called you and left you a message to call me.

I too just learned about the extent of these new allegations. You are correct we do not have any foam at the academy. I will close the academy until the Commissioners advise me. However I do not think this is a wise move, the county has a current contract to supply Mass Maritime Academy fire training this weekend. This training is part of their Coast Guard requirement for graduation.

The pilgrim power plant's fire brigade is due to come in on Monday and Tuesday. If this is missed it could effect the power plants license to operate.

I think we would be better served to do these programs and just use water. We will not use dry Chem and liquid soap which was approved and being used for these operations until we get an environmental OK.

I want to inform you of all the facts, so there are no possible legal ramifications.

Sent from my iPhone

On Nov 20, 2015, at 4:37 PM, Sheila Lyons <slyons@barnstablecounty.org> wrote:

Barnstable County Commissioners' Emergency Meeting November 21st, 2015

Dear George,

Today I have become aware and educated to recent discoveries at the fire academy.

As you know, the County and the Commissioners have been reassured that no such material has been used at the site in several years with further assurance that any such products are no longer stored at the Fire Training Academy site.

Apparently there is information that contradicts that assertion.

Since the interim Administrator is away until late Monday, I am exercising my authority as Chair of the Executive Board of Commissioners that the Academy is not to be used for any purpose and that ALL activity at the academy cease until this matter is fully investigated and resolved.

I have consulted with County Counsel, Robert Troy, who concurs the action and decision as Chair, in absence of the County Manager, is appropriate under Mass. General Law.

Thank you,

Sheila Lyons
Chair
Board of Barnstable County Commissioners

Sheila R Lyons
Barnstable County Commissioner
PO Box 427
Barnstable, MA 02630
508-375-6646
Slyons@barnstablecounty.org

On Nov 20, 2015, at 12:31 PM, "Tom Cambareri" <tcambareri@capecodcommission.org>
wrote:

Sheila,

I am using my response to Teresa's inquiries as a springboard to you as Chair on the recent issue of foam at the BFTA.

Teresa: Was the cape cod times at the meeting? It was an open meeting and they could have been there and would have been welcome, but I didn't remember seeing them? Maybe I just wasn't noticing.

The press was not there.

Subsequent to an informal staff conversation, the information was shared and a call was made to the Cape Cod Times.

I was not privy to, nor aware of that occurrence until after the fact.

Teresa: Also, on the drive home I was wondering about the white stuff ... if was indeed soap then it had to have been mixed with water to make the bubbles from the soap. Did the water come from the "hot spot" that already tested high - in other words, did that testing just show more of the same water now mixed with dishwashing liquid?

The contaminated soils are below the ground surface in a depression. The sampled foam was on pavement. There is no way the foam could have mixed with the subsurface soils.

An important point of my presentation to the Committee is the need for a credible history of the use of foam at the site and that no one has been willing to provide documentation.

As the County's LSP for the site I am greatly troubled to have discovered the foam especially when my word, recommendations, and understanding of activities at the site are compromised.

I recommend an immediate County meeting on the subject to get at the facts.

Please let me know if I can assist.

-Tom

508-364-2644 Cell

From: Teresa Martin [<mailto:teresa@capeeyes.com>]

Sent: Thursday, November 19, 2015 5:21 PM

To: Tom Cambareri

Cc: Mary Pat Flynn; Joe Maruca; Edward Lewis; Edward McManus; Steven Tebo

Subject: Re: BCFRTA

Was the cape cod times at the meeting? It was an open meeting and they could have been there and would have been welcome, but I didn't remember seeing them? Maybe I just wasn't noticing.

Also, on the drive home I was wondering about the white stuff ... if was indeed soap then it had to have been mixed with water to make the bubbles from the soap. Did the water come from the "hot spot" that already tested high - in other words, did that testing just show more of the same water now mixed with dishwashing liquid?

- Teresa

Tom Cambareri

November 19, 2015 at 3:51 PM via Postbox

Hello,

I too received a surprise call from the Times. I called back after hearing he had spoken to Mary Pat and Joe.

I provided the Times with the facts of what I observed and what I found in the testing which indicated the foamy substance did have PerfluoroAlkyl Substances including PFOS.

Thanks,

-Tom

From: Mary Pat Flynn

Sent: Thursday, November 19, 2015 3:35 PM

To: Joe Maruca

Cc: teresa@capeeyes.com; Edward Lewis; Edward McManus; Steven Tebo; Tom Cambareri

Subject: Re: BCFRTA

I too received a call from Geoff at the CC Times. I confirmed that we became aware of a foamy substance on the ground of the FTA and that we were investigating. As yet we have no confirmation of what the substance is.

No doubt he will follow-up and we will respond as appropriate.

Pat

Mary Pat Flynn

On Nov 19, 2015, at 2:04 PM, Joe Maruca <jmaruca291@gmail.com> wrote:

Hi All:

This afternoon when I got to my office, the Cape Cod Times was looking for me regarding the October 27th "foamy product" containing PFOS found at the BCFRTA, as discussed at our meeting on Tuesday. I expect you'll be hearing from the Times. Here are the two relevant slides from Tom's presentation.

I informed the fire chiefs of this incident this morning and they will be reaching out to the fire academy to investigate it further.

Joe Maruca

<BCFRTA PFOS Oct 2015.pdf>
